

FORM PTO-1390 (Modified)
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

276338053

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/019098

INTERNATIONAL APPLICATION NO.
PCT/IB99/01166INTERNATIONAL FILING DATE
22 June 1999PRIORITY DATE CLAIMED
NONE

TITLE OF INVENTION

IN VIVO INSECT MODEL SYSTEM FOR TYPE-2 DIABETES

APPLICANT(S) FOR DO/EO/US

HAFEN, Ernst

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Corrected International Preliminary Examination Report; Sequence Listing in paper form; Sequence Statement pursuant to 37 C.F.R. 1.821-1.825; and Return receipt post card.

U.S. APPLICATION NO. IF KNOWN, SEE		INTERNATIONAL APPLICATION NO. PCT/IB99/01166		ATTORNEY'S DOCKET NUMBER 27656/38053	
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	34 - 20 =	14	x \$18.00	\$252.00	
Independent claims	3 - 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,142.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$1,142.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$1,142.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$1,142.00	
				Amount to be: refunded	\$
				charged	\$

- a. ☒ A check in the amount of \$1,142.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2855. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Jeffrey S. Sharp
 Customer No.: 04743
 MARSHALL, GERSTEIN & BORUN
 6300 Sears Tower
 233 South Wacker Drive
 Chicago, Illinois 60606
 United States of America

SIGNATURE

Jeffrey S. Sharp

NAME

31,879

REGISTRATION NUMBER

20 December 2001

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

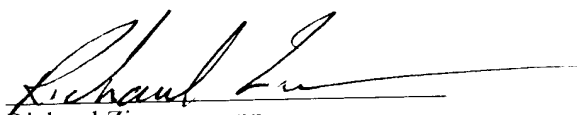
Applicant: HAFEN, Ernst)
U.S. National Phase of PCT/IB99/01166 filed)
22 June 1999)
Filed: Herewith)
For: IN VIVO INSECT MODEL SYSTEM)
FOR TYPE-2 DIABETES)
Group Art Unit: Unassigned)
Examiner: Unassigned)
Attorney Docket No. 27656/35053)

CERTIFICATION UNDER 37 CFR 1.10

Box PCT
Commissioner for Patents
Washington, D.C. 20231

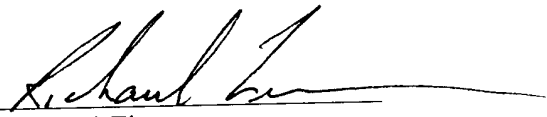
I hereby certify the attached items are being deposited with the United States Postal Service on November 26, 2001 in an envelope addressed to Box PCT, Commissioner for Patents, Washington, D.C. 20231 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing No. EK 657 819 788 US:

- a. Transmittal letter to the United States Designated/Elected Office (DO/EO/US) concerning a filing under 35 U.S.C. 371;
- b. Sequence Listing in both paper and computer readable forms;
- c. Sequence Statement pursuant to 37 C.F.R. 1.821-1.825;
- d. International Preliminary Examination Report;
- e. Corrected Preliminary Examination Report;
- f. Preliminary Amendment;
- g. Return receipt post card; and
- h. A check in the amount of \$1,142.00.


Richard Zimmermann

Date: December 20, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HAFEN, Ernst)	I hereby certify that this paper is being de-
)	posited with the United States Postal Ser-
U.S. National Phase of PCT/IB99/01166 filed)	vice on December 20, 2001 , in an envelope
22 June 1999)	addressed to the Commissioner for Patents,
)	Washington, D.C. 20231 utilizing the "Ex-
Filed: Herewith)	press Mail Post Office to Addressee" ser-
)	vice of the United States Postal Service un-
For: IN VIVO INSECT MODEL SYSTEM)	der Mailing Label No. EK 657 819 788 US.
FOR TYPE-2 DIABETES)	
)	
Group Art Unit: Unassigned)	December 20, 2001
)	
Examiner: Unassigned)	
)	Richard Zimmermann
Attorney Docket No. 27656/35053)	
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)	
)	

STATEMENT UNDER 37 C.F.R. §§1.821(f)

BOX PCT
Commissioner for Patents
Washington, DC 20231

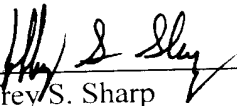
Sir:

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted herewith in accordance with 37 C.F.R. §§1.821 and 1.825, are the same.

Respectfully submitted,

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By


Jeffrey S. Sharp
Registration No. 31,879
Attorney for Applicants

December 20, 2001